IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.R.No.2174 of 2003.

Date of decision : 11.9.2006.

Parmod alias Bittu.

.....Petitioner.

Versus

Krishna alias Reena.

.....Respondent.

CORAM : HON'BLE MR. JUSTICE VINOD K. SHARMA

Present : Mr.Vivek Singla,Advocate
for the petitioner.

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VINOD K. SHARMA,J.(ORAL)

This revision petition has been filed against the order dated 2.5.2002 passed in the application under Section 24 of the Hindu Marriage Act by the learned Addl. District Judge, Sonepat allowing maintenance pendente lite at the rate of Rs.700/- P.M. and litigation expenses of Rs.3000/-.

The learned Addl. District Judge granted the maintenance on consideration of material before it and has come to the conclusion that the petitioner would be earning Rs.2000/- per month because even an unskilled labourer can earn this much amount. The learned counsel for the petitioner challenged the said finding on the ground that the material facts that the wife was facing trial under the Immoral Traffic Act that she was earlier married twice, was concealed from the petitioner The learned counsel for the petitioner has prayed that no maintenance could be granted to her. The learned counsel for the petitioner has relied upon the judgment of the

Bombay High Court in **Smt. Sudha Suhas Nandanvankar Vs. Suhas Ramrao Nandanvankar AIR 2005 Bombay 62**. However, I find that the judgment has no application to the facts of the present case. That decision was with regard to grant of permanent alimony.However, the wife has statutory right to claim maintenance pendente lite and litigation expenses under Section 24 of the Hindu Marriage Act.

There is no illegality or impropriety in the order passed by the learned trial Court which may call for interference by this Court under Article 227 of the Constitution of India.

Dismissed.

September 11,2006 **(VINOD K. SHARMA)**
'sp' **JUDGE**